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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/728,772

12/01/2000

Joseph F. Brunner JR.

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05/20/2004

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EXAMINER

CZEKAJ, DAVID J

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/728,772

Applicant(s)

BRUNNER, JOSEPH F.

Examiner

Dave Czekaj

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

On page 3, lines 24-25, the examiner could not find the "wing section 27, belly section 28, or nose section 29" in the accompanying figures.

On page 5, lines 8, 9, and 25, the examiner could not find the "space 200" in the accompanying figures.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sankrithi et al (6405975), (hereinafter referred to as "Sankrithi") in view of Bauer et al (5689734), (hereinafter referred to as "Bauer").

Regarding claim 1, Sankrithi discloses an apparatus that aides in the maneuvering of airplanes (Sankrithi: column 1, lines 66-67). This apparatus comprises "a housing including a flange and receptacle, the flange being configured to complement the topography of the aircraft, the receptacle having an opening and an inner surface" (Sankrithi: figure 10, column 9, lines 1-22, wherein the flange is the bracket and pin assembly (items 444 and 442) which

are shown to complement or conform to the topography of the aircraft, the receptacle is the camera housing (item 448) wherein the opening is the end of the housing which contains the lens (item 450) and the inner surface is item 448), "a window fixed within the opening of the receptacle" (Sankrithi: figure 10, item 450, wherein the window is the lens), and "a camera disposed within the receptacle having optical communication with the window, a space being defined between the camera and inner surface of the receptacle" (Sankrithi: figure 10, column 9, lines 1-22, wherein the camera is item 440, the receptacle is the camera housing, the space between the camera and inner surface is indicated in item 448). Although Sankrithi does show a filler disposed within the receptacle (Sankrithi: figure 9, item 422, wherein the filler is the roller), Sankrithi lacks the filler disposed in the space to seal the camera as claimed. Bauer teaches that it is a common practice to seal a camera with a filler or epoxy to prevent the fouling of the camera internals (Bauer: column 1, lines 32-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Sankrithi and add the filler taught by Bauer in order to obtain an apparatus that better protects the camera from use in extreme conditions.

Regarding claims 2-3 and 11-12, Bauer discloses the "filler is an adhesive compound and epoxy" (Bauer: column 1, lines 32-35, wherein the epoxy is the adhesive compound).

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Regarding claim 4, Sankrithi discloses a "heater configured to heat the window" (Sankrithi: figure 10, item 456, column 9, lines 18-22, wherein the window is the lens).

Regarding claims 5 and 8, Sankrithi discloses that the heater includes "a conductive film disposed upon the window" (Sankrithi: column 9, lines 18-22, wherein the conductive film is the conductive coating, the window is the lens). Although Sankrithi does not show a pair of wires connected to the film, one of ordinary skill in the art would realize that in order to supply heat to the conductive film, at least one pair of wires is needed (power and ground)).

Regarding claims 6 and 9, Sankrithi discloses "the window includes sapphire" (Sankrithi: column 9, lines 8-9, wherein the window is the lens).

Regarding claims 7 and 10, note the examiners rejection for claims 1 and 4.

Conclusion


4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US-5440337	08-1995	Henderson et al.
US-5894323	04-1999	Kain et al.
US-5191370	03-1993	Bozzolato, Giovanni
US-5806789	09-1998	Boulware et al.
US-6374047	04-2002	Beran et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (703) 305-3418. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600